

1 F. Christopher Austin, (NV Bar No. 6559)
2 Ryan Gile, Esq. (NV Bar No. 8807)

3 **WEIDE & MILLER, LTD.**
4 10655 Park Run Drive, Suite 100
5 Las Vegas, NV 89144
6 (702) 382-4804
7 caustin@weidemiller.com
8 rgile@weidemiller.com

9 Charles C. Rainey, Esq. (NV Bar No. 10723)

10 **HAMRICK & EVANS LLP**
11 7670 W. Lake Mead Blvd., Ste. 140
12 Las Vegas, Nevada 89128
13 (702) 425-5100
14 crainey@hamricklaw.com

15 *Attorneys for Plaintiff LHF Productions, Inc.*

16 **UNITED STATES DISTRICT COURT**
17 **DISTRICT OF NEVADA**

18 LHF PRODUCTIONS, INC., a Nevada
19 corporation,

20 Plaintiff,

21 v.

22 MARIA GONZALEZ, an individual; BRIAN
23 KABALA, an individual; JOHN KOEHLI,
24 an individual; DANIEL O'CONNELL, an
25 individual; DONALD PLAIN, an individual;
26 ANTE SODA, and individual; MATTHEW
27 STEWART, and individual; and JOHN AND
28 JANE DOES.

Defendants.

Case No.: 2:16-cv-02028-JAD-NJK

**RYAN GILE'S MOTION TO
WITHDRAW AS COUNSEL OF
RECORD FOR PLAINTIFF**

Pursuant to District of Nevada Local Rule LR IA 11-6(b) and Rule 1.16 of the Nevada Rules of Professional Conduct, I, Ryan Gile, hereby move the Court for entry of an order granting leave for me to withdraw from representing Plaintiff LHF Productions, Inc. in this litigation.

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1 termination of representation. It states the following:

- 2 (a) Except as stated in paragraph (c), a lawyer shall not represent a client or, where
3 representation has commenced, shall withdraw from the representation of a client
4 if:
- 5 (1) The representation will result in violation of the Rules of Professional
6 Conduct or other law;
- 7 (2) The lawyer's physical or mental condition materially impairs the lawyer's
8 ability to represent the client; or
- 9 (3) The lawyer is discharged.
- 10 (b) Except as stated in paragraph (c), a lawyer may withdraw from representing a
11 client if:
- 12 (1) Withdrawal can be accomplished without material adverse effect on the
13 interests of the client;
- 14 (2) The client persists in a course of action involving the lawyer's services that
15 the lawyer reasonably believes is criminal or fraudulent;
- 16 (3) The client has used the lawyer's services to perpetrate a crime or fraud;
- 17 (4) A client insists upon taking action that the lawyer considers repugnant or
18 with which the lawyer has fundamental disagreement;
- 19 (5) The client fails substantially to fulfill an obligation to the lawyer regarding
20 the lawyer's services and has been given reasonable warning that the
21 lawyer will withdraw unless the obligation is fulfilled;
- 22 (6) The representation will result in an unreasonable financial burden on the
23 lawyer or has been rendered unreasonably difficult by the client; or
- 24 (7) Other good cause for withdrawal exists.
- 25 (c) A lawyer must comply with applicable law requiring notice to or permission of a
26 tribunal when terminating representation. When ordered to do so by a tribunal, a
27 lawyer shall continue representation notwithstanding good cause for terminating
28 the representation.
- (d) Upon termination of representation, a lawyer shall take steps to the extent
reasonably practicable to protect a client's interests, such as giving reasonable
notice to the client, allowing time for employment of other counsel, surrendering
papers and property to which the client is entitled and refunding any advance
payment of fee or expense that has not been earned or incurred. The lawyer may

1 retain papers relating to the client to the extent permitted by other law.

2 **ARGUMENT**

3 The Court should grant leave to withdraw because the legal standards for withdrawal are
4 easily satisfied in this instance. First, with respect to LR IA 11-6(b), I have informed LHF
5 Productions, Inc. ("LHF") of my resignation from Weide & Miller, Ltd. and my intent to withdraw
6 as attorney of record in this matter. In addition, this motion has been served on all parties of
7 record. Second, with respect to LR 11-6(e), no delay of discovery, trial, or any hearing in the case
8 will result since LHF's other attorneys-of-record in this case, F. Christopher Austin and Charles
9 C. Rainey, will continue on as LHF's counsel in this matter. Third, with respect to Nevada Rule
10 of Professional Conduct 1.16(b)(1), adequate grounds for withdrawal exist because withdrawal
11 can be accomplished without material adverse effect since Mr. Austin and Mr. Rainey will
12 continue to represent LHF in this case. Fourth, Rule 1.16(c) is satisfied because, through this
13 motion, I am complying with the Court's rules and procedures for withdrawal. Fifth, Rule 1.16(d)
14 is satisfied because, again, both Mr. Austin and Mr. Rainey will continue to represent LHF in this
15 case.
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18 **CONCLUSION**

19 For the foregoing reasons, I respectfully request that the Court enter an order granting me,
20 Ryan Gile, leave to withdraw as counsel of record for Plaintiff LHF Productions, Inc. in this
21 matter.
22

23 DATED this 13th day of April, 2018.

24 Respectfully Submitted,

25 **WEIDE & MILLER, LTD.**

26 /s/ Ryan Gile

27 F. Christopher Austin, Esq.

28 Ryan Gile, Esq.

10655 Park Run Drive, Suite 100
Las Vegas, NV 89144

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HAMRICK & EVANS LLP

Charles C. Rainey, Esq.
7670 W. Lake Mead Blvd., Ste. 140
Las Vegas, Nevada 89128

Attorneys for Plaintiff LHF Productions, Inc.

IT IS SO ORDERED:



UNITED STATES MAGISTRATE JUDGE

DATED: April 16, 2018

CERTIFICATE OF MAILING

I HEREBY CERTIFY that I am an employee of Weide & Miller, Ltd. and that on **April 13, 2018**, I served a full, true and correct copy of the foregoing **RYAN GILE'S MOTION TO WITHDRAW AS COUNSEL OF RECORD FOR PLAINTIFF**, via the United States District Court's CM/ECF filing system upon the following:

Jonathan Blum, Esq.
Eric Walther, Esq.
Kolesar & Leatham
400 So. Rampart Blvd., #400
Las Vegas, NV 89145
jblum@lknevada.com
ewalther@lknevada.com

Lisa L. Clay
345 No. Canal Street, Suite C202
Chicago, IL 60606
lclayaal@gmail.com

/s/ Brianna Show
An employee of Weide & Miller, Ltd.